

THE  
T R Y A L  
OF  
WILLIAM STALEY, Goldsmith;  
For Speaking

Treasonable Words

Against His Most Sacred

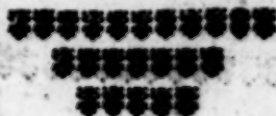
M A J E S T Y:

And upon Full Evidence found Guilty of

HIGH TREASON

And received Sentence accordingly, on *Thursday*

*November the 21<sup>th</sup> 1678.*



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LONDON,

Printed for *Robert Pawlet* at the *Bible* in *Chancery*  
*Lane* near *Fleetstreet*. 1678.

THE  
T R Y A L  
OF  
WILLIAM STALEY, Goldsmith;

Treasonable Words

Against His Most Sacred

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M A J E S T Y :

November 20. 1678.

Do appoint *Robert Pawlet* to Print the Tryal of *William Staley*: and that no other presume to Print the same.

WILLIAM SCROGGS.

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L O N D O N

Printed for Robert Pawlet at the Bible in Chancery.  
Lane near Fleetstreet 1678.

[3]

THE

TRIAL

OF

WILLIAM STALEY, Goldsmith;

For Treasonable Words. Upon which he was Condemned  
for High Treason, Nov. 21. 1678.

**M**R. Staley being accused of High Treason, was on the 20th day of November 1678. brought from *Newgate*, and arraigned at the Kings Bench Bar, and the next day was brought to the same place to receive his Tryal; where being come, and the Jury Impannelled, the Court told the Prisoner, that if he would challenge any of the Jury, he must speak unto them as they came to the Book to be sworn, and before they were sworn; the Prisoner challenging none, the Jury were sworn, viz,

JURY.

Sir Phillip Matthews.  
Sir Reginald Foster.  
Sir John Kirke.  
Sir John Cutler.  
Sir Richard Blake.  
John Bisfield, Esquire.

Simon Middleton, Esquire  
Thomas Cross, Esquire.  
Henry Johnson, Esquire.  
Charles Umfrevile, Esquire.  
Thomas Eaglesfield, Esquire.  
William Bokee, Esquire.

The Indictment Read.

*You stand Indicted by the name of William Staley, &c.*

Cryer. If any can give Evidence on the behalf of our Sovereign Lord the King, against *William Staley*, let him come forth and he shall be heard.

*Sir Creswel Levins.* The Prisoner stands Indicted as not having the Fear of God before his Eyes, being led by the Instigation of the Devil, not minding his Allegiance, but Traiterously endeavouring the Death and Destruction of our Sovereign Lord the King, he did on November the 14th, in the thirtieth year of the King, falsely, wickedly, and traiterously Compass, Imagine, Devise and Invent the Killing



ling the King ; that he did maliciously contrive (I say) the Death of our Lord the King of *England*.

To this he hath pleaded *Not Guilty*. You are to try whether he be guilty or not.

*Kings Serjeant*, Maynard. The Offence is as great as can be, and will be prov'd as clear as can be. Call the Witnesses to prove the Offence.

*Attorn. Gen.* It would be fitting before we enter upon the Evidence, to give some account, why (among so many Offenders, some of them of greater Quality than *William Staley*) we chose first to bring this man to Tryal. It is not unknown to any man that lives in *England*, what a Discovery there hath been of horrid and damnable Designs against the King's Person, and the Protestant Religion. There are a sort of men in the World, that endeavour what they can to cry down this Discovery, as that it was altogether Suppositious, and a Fable. It is true, some are so charitable as to think the *Roman Catholicks* in *England* might endeavour to promote the *Roman Catholick* Religion, but that they should have a Design against the Kings Person is a Fiction. But they shall be convinced by the Tryal of this man, that there was such a Design, seeing the Prisoner even since the Discovery of this devilish Plot, and after so many have been imprisoned for it, doth persist in a Treasonable mind, and a Trayterous attempt against the King's Person ; the clear Evidence of which, is his speaking those words with which in the Indictment he is charged. This Prisoner by Religion is a *Roman Catholick*, he calls himself so ; in plain *English* he is a Papist : and finding that since this Plot was discovered, his trading decay'd, (being one that was a Banker for the *Catholicks*) he grew enraged that their Money was called so fast for, and being in the company of one *Fromante* a Foreigner, at a *Cook's* shop, he takes notice of the discovery of the Plot, (being a very great well-wisher to it) and enters into a great Passion, and spake these words of the King : *That he was a great Heretick, and the greatest Rogue in the World* ; then holding up his hand, he clapt it upon his Heart, and said, *I would with this hand kill him my self*. These words were heard by two Gentlemen that were present, but spoken in *French*.

*William Carstaires*, a Witness.

*Attorn. Gen.* Acquaint the Court and Jury what you know of any words spoken by the Prisoner about killing the King.

*Witness.* So far as I know or can give an account, it was about Eleven of the Clock in the day, on the fourteenth day of this month ; he call'd for a pot of Ale, and a slice of Ro't Beef, which when it was called for, his Landlord said it should be brought him : there was another *Frenchman* with *Staley*, a stranger to me : they discoursed together

gether in *French*, and *Staley* then said twice over, *The King was a grand Heretick*, making this Demonstration, with his hand upon his Breast, and stamp'd five or six times with his Foot in great Fury. The old man *Bartholomew Fromante*, his Friend, said, *That the King of England was a Tormentor of the People of God*, and he answered again, *The King of England*, and repeated it again in a great Fury, *the King of England is a great Heretick and the greatest Rogue in the World; there's the Heart*, (striking his hand on his Breast) *and here's the Hand that would kill him my self*; and he said further, *the King and Parliament think all is over, but the Rogues are mistaken*.

*Lord Chief Just.* Did you know *Staley*?

*Witness.* No my Lord, I had never seen him before.

*L. Chief Just.* What did you do upon this?

*Witness.* I did not know what to do, being ignorant of the Laws of the Country, I thought it was a great matter and being sensible that *Staley* was gone out, I caus'd one to attend him, and came to his Father's Shop, and looked up and down, and the next day I apprehended him.

*L. Chief Just.* Are you sure (looking upon the Prisoner) that was the man? *Witness.* Yes.

*L. Chief Just.* Did you see him when he spake the words?

*Witness.* Yes I saw him; there was no more distance betwixt the two doors, but just as far as that Gentleman and me; his face was strait toward us.

*L. Chief Just.* Were you in the same Room?

*Witness.* No, but just over against it; the Doors were open.

*L. Chief Just.* How near were you to him?

*Witness.* Seven or eight foot from the place where I was and where he was. He was standing at one door, and I at the other. In *French* the words were spoken, he making a Demonstration, stamping with his foot, *I would kill him my self*, (which the Prisoner would have evaded by saying, the words signify, *I would kill my self*, The Prisoner farther said, that the King and Parliament thought all was over, but the Rogues were beguiled and deceived.

*Alexander Sutherland Witness.*

*Mr. Sutherland,* Tell what you heard the Prisoner at the Bar say, were you there? *Witness.* Yes.

*L. Chief Just.* Which was nearest to him, he or you?

*Witness.* He was nearest to him, and I just by the Gentleman. He said afterwards, when a word or two past betwixt them. The old man said, *That the King of England, was a Tormentor of the People of God*; the Prisoner answered, *The King of England*, and repeated it again with a great fury, *The King of England is the greatest Heretick and the greatest Rogue in the World there's the Heart*, (striking his hand on his Breast)

and

and here's the band that would kill him my self; and the King and Parliament thinks their business is over, but the Rogues are mistaken.

*Pris.* I said (replyed the Prisoner) I would kill my self.

*L. Chief Just.* Would you kill your self because you said the King was a Heretick? You acknowledge your self to be a *Roman Catholick*.

*Pris.* And in that Faith I intend to dye.

*Attorn. Gen.* Here the Prisoner doth not deny but he said the King of England was a great Heretick; and can we imagine him to be for that reason in such a Passion that he would therefore kill himself? whether that be a natural Conclusion from such Premises, I must submit to any impartial Hearer.

*L. Chief Just.* Did you see Mr. *Staley* perfectly, was the door open?

*Witness.* I saw him perfectly.

*L. Chief Just.* Did you know him before?

*Witness.* I never saw his face before.

*L. Chief Just.* Did you write the words presently?

*Witness.* I writ them down presently, as God shall be my witness.

*L. Chief Just.* Look upon the Writing, is it your Hand?

*Witness.* It is; and it was writen the fourteenth of November. 1678.

About eleven a clock they came to the Black Lyon in *Kings-street*, and call'd for a quart of Ale, and a slice of Rost Beef, and it was answered, it should presently be had. *William Staley* said, having struck on his Breast, and stamping with his foot five or six times, *I my self would do it.*

*L. Chief Just.* Did you write all that is in the Paper at that time?

*Witness.* I writ the words in *French* as I heard them from him, then formed it as to the Person and time afterwards when I was gone.

*L. Chief Just.* Who told you it was *Staley* the Goldsmith?

*Witness.* We asked the Man of the House; and we found he went to his Fathers house in *Covent Garden*; we asked his Fathers name, and his name; and that's the very man

*L. Chief Just.* He confesseth he was in this place at that time with the old man. He acknowledged that he spake some words, but denied he spake those: That he was the man, he doth not deny.

*Attorn. Gen.* The third man is a Gentleman that doth not understand the *French* Tongue, he was in the company of these two men at that time; we do not call him to prove the words, because he doth not understand the Language, but to prove what followed.

*L. Ch. Just.* There is no mistake of the Person, the Prisoner doth not deny he was there. Call the third Person to know what he hath to say.

*Phillip Gattret*, third Witne's.

*Wit.* All that I can say is this; my Captain *William Castaries* came to me in a great Passion, and said, I cannot suffer this, I will run upon him, I cannot be quiet.

*L. Chief Just.*



*L. Chief Just.* What are those things he charged upon him?

*Witness.* That he would kill the King himself: it is impossible to suffer it, I will run out for a Constable presently, this cannot be suffered. I went to enquire for his name; the answer was, he was a Goldsmith, and that his name was *Staley*. That's the very man (looking upon him) I saw there, and heard him speak.

*L. Chief Just.* What were the first words?

*Witness.* [The French words were spoken twice, [in English thus] *The King was a grand Heretick* [French again] *Here's the hand, here's the heart, I would kill him my self.*

*L. Chief Just.* What can you say to this?

*Prisoner.* My Lord, the matter of Fact hapned thus: This Gentleman, *Mr. Sutherland*, come over to me in the morning when I was in the shop, and said, Sir, I would have a red Button like this, I said I had none of that nature, you had better go to the Exchange. I would have one of a true Stone, you must (I reply'd go to the Jewellers, I have none of these. Upon that I dismiss him; he went over, and presently comes in a quarter of an hour after, and tells me that an Honourable Person would speak with me: I went over; this Gentleman makes a great many Ceremonies to me, and reads me this Paper; he tells me you see what the Gentleman reads, I would advise you to look to it, then taking me aside by the Window. I said, I do not understand you, I am innocent, you must not put any bubble upon me; with that the Captain runs out in a fury, and fetcheth a Constable, and carrieth me to the Gate-house. I was in my shop the day before, which very day I did intend to go out with a Friend into the Country, and prepared my self accordingly; and *Mr. Fromante*, the old man that was the Friend of mine, comes, saying to me, the Constable would have something, I know not what it is, come and assist me; I went to the place, the Constable told me, that I was to appear by ten of the Clock; with that comes the old man out. I owed him a little money, I went and paid him the money which I owed him. I came back, and sat down by the window out of sight, the old man sat at the right hand, so we sat and discoursed as innocently, as I thought, and (before God) as ever I spoke in my life.

*L. Chief Just.* What discourse had you?

*Prisoner.* Our chief discourse was about the materials of our business, and it was about the King of France his Usurpation over his Subjects, and the Happiness of our little People, the Commonalty of England, that was indeed usually our discourse when we met together.

*L. Ch. Just.* Did you say you would kill the King of France? and that he was a great Heretick? Do you believe the King of France is an Heretick?

*Prisoner*

*Prisoner.* I know not what his Opinion is, that's to his own Conscience.

*L. Chief. Just.* Did you name the word *Heretick*?

*Prisoner.* Not to my knowledge upon my Soul, not of the King of England; we might have discoursed of the Happiness and of the difference of their Governments. I have been thought a person of some Intelligence, and of some Understanding in the World, and not to expose my self to speak in a publick large Room, the Door being open, with so high a voice that these Gentlemen being in the next Room should hear me in *French*, and in a Street where almost all are *Frenchmen*, to speak these Blasphemous Words, words that I abhor. I have been a great Admirer of my Prince.

*Court.* Read the Statute of *Decimo tertio*, &c.

*L. Chief. Just.* Speak the words in *English* about killing the King, speak them all.

*Witness.* That the Prisoners Companion did say, *The King was a Tormentor and Persecutor of the People of God.* The Prisoners words were again, *The King of England is the greatest Heretick, and the greatest Rogue in the World; there's the Heart, and here's the hand that would kill him; myself.*

*Prisoner.* Here's the Hand, and here's the Heart which would kill my self: not would kill him my self.

*L. Chief. Just.* What Jesuit taught you this trick? It is like one of them, it is the Art and Interest of a Jesuit so to do.

*The Statute Read.*

*L. Chief. Just.* Have you any thing more to say for your self than what you have already said?

*Court.* Sir John Kirk, do you understand *French*?

*One of the Jury.* I do, my Lord; the words have been interpreted all right.

*L. Chief. Just.* Let me ask you one Question; When you said the King was a great Heretick and a Rogue, and there's the heart, and here's the arm that would kill him myself; was it not the King you would kill?

*Prisoner.* I have this to say in Justification of my self, and Allegiance to my Prince and King, that I never thought, nor imagined, or contrived any way, but have been a true Subject to the King upon all occasions; I am sorry it proves so, Gods will be done, my Soul depends upon it; I am a dying man by the Statute, never with Intention, or any thought or ill will, spake I any word about this matter.

*L. Chief. Just.* Out of the abundance of the Heart the Mouth speaks, the Statute hath been read, which hath made it criminal.



Call a witness for the Prisoner.

*Prisoner.* The old Man to whom I spake is not here, I had so short notice of my Tryal, that I could not find him.

*Attor. Gen.* That old Man hath been examined upon Oath. The Prisoner shall see the examination if he please, he shall have it read, if he will not, I will not press to have it read. (Here the examination being shewn the Prisoner, he gave it back to Mr. Attorney General again, then the Prisoner called for a witness who was present in Court.

One *Anselm Spake*,

They came to my house, where I live, at the Cross keys in Covent Garden, about eight a clock in the morning, these two Gentlemen, the day they took him away, was the day after these words were spoke, and he was kept prisoner from eight till eleven of the Clock without any Constable, they had five Bottles of Wine, and bespake meat, but they did not stay to eat the meat.

*L. Ch. Just.* How came you to stay so long?

*Witness.* I was two hours in looking for a Constable, they would not come with me without a warrant from a Justice of Peace.

*L. Ch. Just.* Who told you you had best take it up?

*Prisoner.* The middlemost man, the first witness.

*Witness.* We were about three long hours, I sent out this Gentleman for a Constable, in the mean time the Prisoners Father sent his Maid for him to come home, I told him he should not go, if he desired to eat we would eat there. I sent to White Hall and desired a guard, the Officer of the guard told the messenger it was the Constables part.

*Court.* Call another Witness for the Prisoner.

*Witness for the Prisoner.*

I have heard him often declare as much Loyalty to his Prince as any person. One day we fell into a discourse of these affairs, the business of the Jesuites; which are a people he did as much condemn as any; for in Padua he saw so many cheats, that he forsook the Jesuitical Religion, and if he knew any of the persons concerned in this plot, he would be the Executioner himself, and whoever comes to reign afterwards, they shall never enjoy so much peace as now; and I heard him often say, he would lose his blood for the King, and heard him speak as Loyally as I ever heard any man speak in my life.

*L. Ch. Just.* That is when he spoke to a Protestant,

*Court.* Have you any thing else to say for your self, or have you any more Witnesses, that you would have examined on your behalf?

*Prisoner.* No.

*Lord Chief Justice his Speech.*

‘**T**He Statute hath been read, which was made since the King came in, for the preservation of his person, and during his life: the Parliament thought it reasonable, even to make desperate words to be Treason, although there was no other thing but words, that is, such words, as if the thing had been done would be Treason, the speaking it is Treason. When we come to observe the manner of this speaking, methinks there is no great difficulty to satisfy the Jury that they were spoke advisedly and maliciously. They were in a publick house, and by accident heard: they concealed them not a moment, and not from the man that did not understand *French*. To hear a man say in a great passion, that his King was a Heretick, and the greatest Rogue in the world, and that he would kill him, to write down the words presently, they slept not upon it, they found out who he was, the next day they came to attach him: they kept him, for what? till they could get a Constable. So that here is nothing doubtful either in the circumstance or substance of his Case: so that you cannot have a plainer proof in the World then there is in this. For my own part, when it is in the Case of a man’s life, I would not have any compliance with the rumors or disorder of times that should be an evidence against him, but would have a verdict depend upon the Witnesses, that swear the fact down right upon him. You and we all are sensible of the great difficulties and hazards that is now both against the Kings person, and against all Protestants, and our Religion too, which will hardly maintain it’s self, when they have destroyed the men; but let ’em know, that many thousands will lose their Religion with their lives, for we will not be Papists, let the Jesuits press what they will (who are the foundations of all this mischief) in making profelites, by telling them, do what wickedness you will it’s no sin, but we can save you, and if you omit what we Command we can damn you. This they will not own when it comes to be an objection and penal upon them, but they will never get the Pope of *Rome* to declare he hath not a power to Excommunicate what he calls a Heretick, King, and if he does, that the Sub-  
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'ject is not discharged from his obedience, they would do great  
 'service to their Papist friends, if they could obtain such an Edict.  
 'They print, preach, dispute, and maintain otherwise, and thereby  
 'lead people to their own destruction and the destructions of  
 'others. Excuse me, if I am a little warm, when perils are so  
 'many, their Murthers so secret, that we cannot discover the  
 'murther of that Gentleman, whom we all knew so well, when  
 'things are transacted so closely, and our King in so great danger,  
 'and Religion at stake. Tis better to be warm here than in *Smith-*  
 '*field*. But that the man might have justice done him, he hath  
 'had his Witnesses, and might have had this old Man, if he had  
 'named him to Mr. *Richardson*: and to shew what fair play he  
 'has had, Mr. *Attorney* tells you the old Man hath been examined  
 'upon Oath, and offers him the Copy of his Examination to use,  
 'but he thinks not fit to use it for his defence, therefore nothing is  
 'smothered. The offence you have heard in words plain enough,  
 'unless the sence is perverted by Jesuitical cunning and equivoca-  
 'tion, the best part of their learning and honesty. They swear it  
 'expresly, *That the King was a Heretick and the greatest Rogue in*  
 '*the World, and here's the heart and hand, that he would kill him himself;*  
 'and hath and can have no other signification. The Statute saith  
 '*Advisedly and Maliciously*. The manner of speaking, and the  
 'words spoke, prove both: When a Papist once hath made a Man  
 'a Heretique, there is no scruple to murther him. Whoever is not  
 'of their Perswasion are Hereticks, and who ever are Hereticks  
 'may be murthered, if the Pope commands it, for which they may  
 'become Saints in Heaven; this is that they have practised. If  
 'there had been nothing of this in this Kingdome, or other parts  
 'of the World, it would be a hard thing to impose it upon them,  
 'but they ought not to complain, when so many instances are a-  
 'gainst them. Therefore discharge your Consciences as you  
 'ought to do; if guilty let him take the reward of his Crime, and  
 'you shall do well to begin with this man, for perchance it may  
 'be a terrour to the rest. Unless they think they can be saved by  
 'dying in the Roman Faith, tho with such pernicious and trai-  
 'terous words and designs as these are; let such go to Heaven  
 'by themselves, I hope, I shall never go to that Heaven, where  
 'Men are made Saints for killing Kings.

*William Staly*, hold up your hand.

*Court.* Is *William Staly* guilty of the High Treason whereof he hath been Indicted.

*Jury.* Guilty.

*Court.*



*Court.* What Goods, Chattels, Lands or Tenements?

*Jury.* None.

*L. Ch. Just.* Nowv you may die a Roman Catholique, and vvhhen you come to die, I doubt you vvill be found a Priest too.

*Kings Councel.* I pray Judgement according to the Verdict.

*Court.* You have been indicted of high Treason, you have put your self upon your Country, vvvhich Country have found you guilty, vvhat have you to say for your self, vvwherefore the Court should not proceed to Judgement against you?

*Prisoner.* I have nothing to say.

*L. Chief Justice.* I pronounce Judgement upon you. You are here found guilty by the Jury of high Treason, for saying you vvould kill the King, vvith other irreverent vvords, but the matter vvvhich makes you a Traitor is proved upon you by most apparent evidence. The matter, manner, and all the circumstances of it make it plain, you may harden your heart as much as you vvill, and lift up your eies, but you seem instead of being sorrowful, to be obstinate, betvveen God and your Conscience be it, I have nothing to do vvith it, my duty is to pronounce judgement upon you according to Lavv, vvvhich is this.

### THE SENTENCE.

*You shall return to the Prison, from thence shall be drawn to the place of Execution, where you shall be hanged by the Neck, cut down alive, your Quarters shall be severed and be disposed of as the King shall think fit, and your Bowels burnt, and so the Lord have mercy upon your Soul.*

### FINIS.

